

C13-194 RAJ-RSL

We (24.19.147.243) request that the court grant us a protective motion to quash or vacate the subpoena. On the grounds that we did not willingly commit copyright infringements. The only way to get that list of ISP addresses from Bit Torrent is to have been downloading the file that they claim was an illegal copy, which means the individual accusing us of a crime would also have committed the same crime. The problem with that is when you download with bit torrent you also share the same file. Files download in packets and once you finish downloading one packet you begin to share (also known as seeding), that packet or file keeps seeding until you remove the file from your list or close the program, which then removes the list of ISP addresses. When you download files in packets, you may get the packets from one source or from multiple sources and there is no way to confirm the source. The fact is our accuser who has legal rights over the media that was downloaded, shared some of that same media. I claim that any part of that file I downloaded they shared with us (24.19.147.243) and/or others and there is no way for them prove otherwise, as the admitted to downloading and sharing by supplying the list of ISP addresses to the court. If the legal owner of the copyright protected media was sharing the file then there were infringements and no grounds for a lawsuit.

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ENTERED
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MAY 07 2013 LK

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY



13-CV-00194-IFP

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Washington

PRIVATE LENDERS GROUP, INC.

Plaintiff

v.

DOES 1-59

Defendant

Civil Action No. 13-00194

(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Comcast

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: All Names, Emails and Addresses associated with the IP addresses provided in attached list.

Place: Frontier Law Group, PLLC
1001 4th Avenue, Suite 3200
Seattle, WA 98154

Date and Time:

04/30/2013 0:00 am

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 03/15/2013

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

s/Richard J. Symmes/

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party)

, who issues or requests this subpoena, are:

Richard J. Symmes
1001 4th Avenue, Suite 3200
Seattle, WA 98154 Ph: 206-682-7975, Fax: 206-424-4691, Richard@symmeslaw.com

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PRIVATE LENDERS GROUP, INC.,

Plaintiff,

v.

DOES 1-59,

Defendants.

CASE NO. C13-194RAJ

ORDER

This matter comes before the court on the motion of Plaintiff Private Lenders Group, Inc. ("PLG") for leave to take early discovery. Dkt. # 4. For the reasons stated below, the court GRANTS the motion.


PLG is the holder of the copyright in *After the Wizard*, a motion picture. According to PLG's complaint, several individuals on the internet illegally copied and distributed *After the Wizard* by means of interactive "peer-to-peer" ("PTP") file transfer technology protocol called Bit Torrent. PLG has identified 59 IP addresses associated with the illegal downloading, but has no other information on the persons who used those IP addresses. PLG accordingly sued 59 "Doe" defendants for copyright infringement. It requests leave to conduct early discovery. Specifically, it wishes to subpoena the internet service providers ("TSPs") associated with each of the IP addresses so that it can identify the individuals who illegally copied *After the Wizard*.

The court finds good cause to permit early discovery, and orders as follows:

ORDER – 1

- 1 1) PLG may, in accordance with Federal Rule of Civil Procedure 45, subpoena
2 the ISPs associated with the 59 IP addresses listed in Exhibit A to its
3 complaint. The subpoenas may request information sufficient to identify the
4 persons using the 59 IP addresses at the time that the *After the Wizard* swarm
5 occurred. That information includes, but is not limited to, the name, current
6 address, e-mail address, and MAC address associated with each individual.
- 7 2) To the extent that the subpoenas reveal the need to subpoena other entities to
8 identify the persons responsible for the swarm, PLG may serve additional
9 subpoenas.
- 10 3) PLG shall provide a copy of this order with any subpoena that it serves.
- 11 4) Nothing in this order shall be construed to require any ISP to disregard laws or
12 procedures affording notice to individuals whose privacy interests are
13 implicated by the PLG subpoenas.

14 DATED this 13th day of February, 2013.

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18 The Honorable Richard A. Jones
19 United States District Judge
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ORDER - 2